

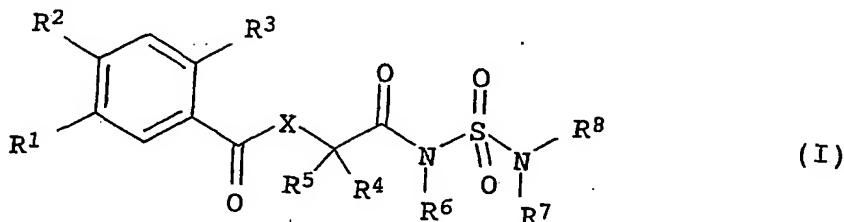
10/522095  
DT01 Rec'd PCT/PCT 24 JAN 2005

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

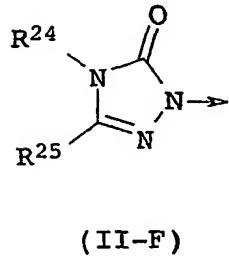
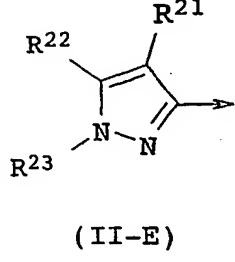
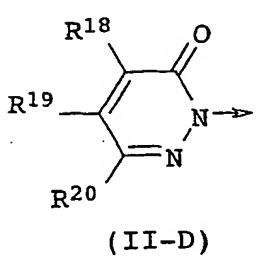
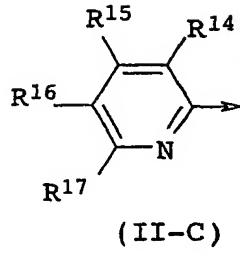
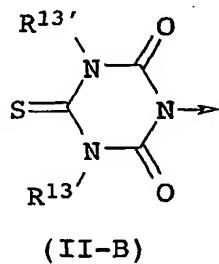
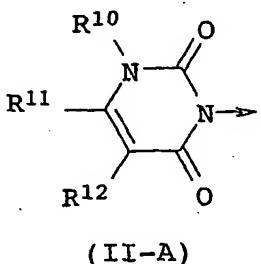
1. (Currently Amended) A 3-heterocyclyl-substituted benzoic acid derivative of the formula I

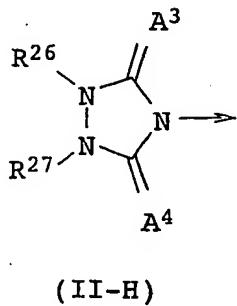
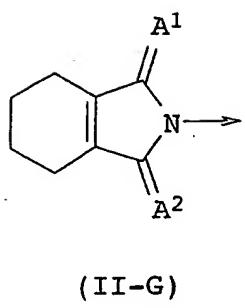


wherein:

X is oxygen or NR<sup>9</sup>,

R<sup>1</sup> is a heterocyclic radical of the formulae II-A to II-H,





R<sup>2</sup> is hydrogen or halogen,

R<sup>3</sup> is halogen or cyano,

R<sup>4</sup>, R<sup>5</sup> independently of one another are hydrogen, C<sub>1</sub>-C<sub>4</sub>-alkyl or C<sub>1</sub>-C<sub>4</sub>-alkoxy, or R<sup>4</sup> and R<sup>5</sup> together are a group =CH<sub>2</sub>,

R<sup>6</sup> is hydrogen, C<sub>1</sub>-C<sub>4</sub>-alkyl or C<sub>1</sub>-C<sub>4</sub>-alkoxy,

R<sup>7</sup>, R<sup>8</sup> independently of one another are hydrogen, C<sub>1</sub>-C<sub>6</sub>-alkyl,

C<sub>3</sub>-C<sub>6</sub>-alkenyl, C<sub>3</sub>-C<sub>6</sub>-alkynyl, C<sub>1</sub>-C<sub>4</sub>-haloalkyl,

C<sub>1</sub>-C<sub>4</sub>-alkoxy-C<sub>1</sub>-C<sub>4</sub>-alkyl, C<sub>1</sub>-C<sub>4</sub>-alkylthio-C<sub>1</sub>-C<sub>4</sub>-alkyl,

C<sub>1</sub>-C<sub>4</sub>-alkylsulfinyl-C<sub>1</sub>-C<sub>4</sub>-alkyl,

C<sub>1</sub>-C<sub>4</sub>-alkylsulfonyl-C<sub>1</sub>-C<sub>4</sub>-alkyl,

cyano-C<sub>1</sub>-C<sub>4</sub>-alkyl, C<sub>1</sub>-C<sub>4</sub>-alkoxycarbonyl-C<sub>1</sub>-C<sub>4</sub>-alkyl,

amino-C<sub>1</sub>-C<sub>4</sub>-alkyl, C<sub>1</sub>-C<sub>4</sub>-alkylamino-C<sub>1</sub>-C<sub>4</sub>-alkyl,

di(C<sub>1</sub>-C<sub>4</sub>-alkyl) amino-C<sub>1</sub>-C<sub>4</sub>-alkyl,

aminocarbonyl-C<sub>1</sub>-C<sub>4</sub>-alkyl,

(C<sub>1</sub>-C<sub>4</sub>-alkylamino)carbonyl-C<sub>1</sub>-C<sub>4</sub>-alkyl,

di(C<sub>1</sub>-C<sub>4</sub>-alkyl)aminocarbonyl-C<sub>1</sub>-C<sub>4</sub>-alkyl,

phenyl or C<sub>1</sub>-C<sub>4</sub>-alkylphenyl or

R<sup>7</sup> and R<sup>8</sup> together with the nitrogen atom to which they are

attached form a saturated or unsaturated 3-, 4-, 5-, 6 or 7-membered nitrogen heterocycle which may optionally contain one or two further heteroatoms selected from the group consisting of nitrogen, sulfur and oxygen as ring members, which may contain 1 or 2 carbonyl and/or thiocarbonyl groups as ring members and/or which may be substituted by one, two or three substituents selected from the group consisting of C<sub>1</sub>-C<sub>4</sub>-alkyl and halogen,

R<sup>9</sup> is hydrogen, hydroxyl, C<sub>1</sub>-C<sub>4</sub>-alkyl, C<sub>1</sub>-C<sub>4</sub>-alkoxy, phenyl, phenyl-C<sub>1</sub>-C<sub>4</sub>-alkyl, C<sub>3</sub>-C<sub>6</sub>-alkenyl or C<sub>3</sub>-C<sub>6</sub>-alkynyl,

R<sup>10</sup> is hydrogen, C<sub>1</sub>-C<sub>4</sub>-alkyl or amino,

R<sup>11</sup> is C<sub>1</sub>-C<sub>4</sub>-alkyl or C<sub>1</sub>-C<sub>4</sub>-haloalkyl,

R<sup>12</sup> is hydrogen or C<sub>1</sub>-C<sub>4</sub>-alkyl,

R<sup>13</sup>, R<sup>13'</sup> independently of one another are hydrogen or C<sub>1</sub>-C<sub>4</sub>-alkyl,

R<sup>14</sup> is halogen,

R<sup>15</sup> is hydrogen or C<sub>1</sub>-C<sub>4</sub>-alkyl,

R<sup>16</sup> is C<sub>1</sub>-C<sub>4</sub>-haloalkyl, C<sub>1</sub>-C<sub>4</sub>-alkylthio, C<sub>1</sub>-C<sub>4</sub>-alkylsulfonyl or C<sub>1</sub>-C<sub>4</sub>-alkylsulfonyloxy,

R<sup>17</sup> is hydrogen or C<sub>1</sub>-C<sub>4</sub>-alkyl,

R<sup>18</sup> is hydrogen, C<sub>1</sub>-C<sub>4</sub>-alkyl or amino,

R<sup>19</sup> is C<sub>1</sub>-C<sub>4</sub>-haloalkyl, C<sub>1</sub>-C<sub>4</sub>-alkylthio or C<sub>1</sub>-C<sub>4</sub>-alkylsulfonyl,

R<sup>20</sup> is hydrogen or C<sub>1</sub>-C<sub>4</sub>-alkyl,

R<sup>21</sup> is hydrogen, halogen or C<sub>1</sub>-C<sub>4</sub>-alkyl,

R<sup>22</sup> is C<sub>1</sub>-C<sub>4</sub>-alkyl, C<sub>1</sub>-C<sub>4</sub>-haloalkyl, C<sub>1</sub>-C<sub>4</sub>-haloalkoxy, C<sub>1</sub>-C<sub>4</sub>-alkylthio or C<sub>1</sub>-C<sub>4</sub>-alkylsulfonyl,

R<sup>23</sup> is hydrogen or C<sub>1</sub>-C<sub>4</sub>-alkyl,  
or

R<sup>22</sup> and R<sup>23</sup> together with the atoms to which they are attached form a 5-, 6- or 7-membered saturated or unsaturated ring which may contain a heteroatom selected from the group consisting of oxygen and nitrogen as a ring-forming atom and/or which may be substituted by one, two or three radicals selected from the group consisting of C<sub>1</sub>-C<sub>4</sub>-alkyl and halogen,

R<sup>24</sup> is hydrogen, C<sub>1</sub>-C<sub>4</sub>-alkyl or C<sub>1</sub>-C<sub>4</sub>-haloalkyl,

R<sup>25</sup> is C<sub>1</sub>-C<sub>4</sub>-alkyl or C<sub>1</sub>-C<sub>4</sub>-haloalkyl,

or

R<sup>24</sup> and R<sup>25</sup> together with the atoms to which they are attached form a 5-, 6- or 7-membered saturated or unsaturated ring which optionally contains an oxygen atom as ring-forming atom and/or which may be substituted by one, two or three radicals selected from the group consisting of C<sub>1</sub>-C<sub>4</sub>-alkyl and halogen,

R<sup>26</sup> is hydrogen, C<sub>1</sub>-C<sub>4</sub>-alkyl or C<sub>1</sub>-C<sub>4</sub>-haloalkyl,

R<sup>27</sup> is hydrogen, C<sub>1</sub>-C<sub>4</sub>-alkyl or C<sub>1</sub>-C<sub>4</sub>-haloalkyl,

or

R<sup>26</sup> and R<sup>27</sup> together with the atoms to which they are attached form a 5-, 6- or 7-membered saturated or unsaturated ring which optionally contains an oxygen atom as ring-forming atom and/or which may be substituted by one, two or three radicals selected from the group consisting of C<sub>1</sub>-C<sub>4</sub>-alkyl and halogen,

A<sup>1</sup>, A<sup>2</sup>, A<sup>3</sup>, A<sup>4</sup> are each independently of one another oxygen or sulfur,  
~~and its agriculturally useful salts or an agriculturally useful salt thereof.~~

2. (Original) A benzoic acid derivative as claimed in claim 1 where R<sup>2</sup> is 10  
fluorine, chlorine or hydrogen.

3. (Currently Amended) A benzoic acid derivative as claimed in claim 1 ~~or 2~~ where R<sup>3</sup>  
is chlorine or cyano.

4. (Currently Amended) A benzoic acid derivative as claimed in ~~any of the preceding~~  
~~claims~~ claim 1 where X is oxygen.

5. (Currently Amended) A benzoic acid derivative as claimed in ~~any of the preceding~~  
~~claims~~ claim 1 where R<sup>6</sup> is hydrogen.

6. (Currently Amended) A benzoic acid derivative as claimed in ~~any of claims 1 to 5~~  
claim 1 where R<sup>1</sup> is a heterocyclic radical of the formula II-A in which R<sup>10</sup> is C<sub>1</sub>-C<sub>4</sub>-alkyl  
or amino, R<sup>11</sup> is C<sub>1</sub>-C<sub>4</sub>-haloalkyl and R<sup>12</sup> is hydrogen.

7. (Currently Amended) A benzoic acid derivative as claimed in ~~any of claims 1 to 5~~  
claim 1 where R<sup>1</sup> is a heterocyclic radical of the formula II-B in which R<sup>13</sup> and R<sup>13'</sup> are  
each independently of one another C<sub>1</sub>-C<sub>4</sub>-alkyl.

8. (Currently Amended) A benzoic acid derivative as claimed in ~~any of claims 1 to 5~~  
claim 1 where R<sup>1</sup> is a heterocyclic radical of the formula II-C in which R<sup>14</sup> is fluorine or  
chlorine, R<sup>15</sup> is hydrogen and R<sup>16</sup> is C<sub>1</sub>-C<sub>4</sub>-haloalkyl, C<sub>1</sub>-C<sub>4</sub>-alkylsulfonyl or  
C<sub>1</sub>-C<sub>4</sub>-alkylsulfonyloxy.

9. (Currently Amended) A benzoic acid derivative as claimed in ~~any of claims 1 to 5~~  
claim 1 where R<sup>1</sup> is a heterocyclic radical of the formula II-D in which R<sup>18</sup> is hydrogen,  
methyl or amino, R<sup>19</sup> is C<sub>1</sub>-C<sub>4</sub>-haloalkyl or C<sub>1</sub>-C<sub>4</sub>-alkylsulfonyl and R<sup>20</sup> is hydrogen.

10. (Currently Amended) A benzoic acid derivative as claimed in ~~any of claims 1 to 5~~  
claim 1 where R<sup>1</sup> is a heterocyclic radical of the formula II-E in which R<sup>21</sup> is halogen or  
C<sub>1</sub>-C<sub>4</sub>-alkyl, R<sup>22</sup> is C<sub>1</sub>-C<sub>4</sub>-haloalkyl, C<sub>1</sub>-C<sub>4</sub>-haloalkoxy or C<sub>1</sub>-C<sub>4</sub>-alkylsulfonyl and R<sup>23</sup> is  
C<sub>1</sub>-C<sub>4</sub>-alkyl.

11. (Currently Amended) A benzoic acid derivative as claimed in ~~any of claims 1 to 5~~  
claim 1 where R<sup>1</sup> is a heterocyclic radical of the formula II-F in which R<sup>24</sup> is hydrogen,  
methyl, difluoromethyl or trifluoromethyl, R<sup>25</sup> is methyl or trifluoromethyl or R<sup>24</sup> together  
with R<sup>25</sup> are a chain of the formula -(CH<sub>2</sub>)<sub>4</sub>-.

12. (Currently Amended) A benzoic acid derivative as claimed in ~~any of claims 1 to 5~~  
claim 1 where R<sup>1</sup> is a heterocyclic radical of the formula II-G in which A<sup>1</sup> and A<sup>2</sup> are  
each oxygen.

13. (Currently Amended) A benzoic acid derivative as claimed in ~~any of claims 1 to 5~~  
claim 1 where R<sup>1</sup> is a heterocyclic radical of the formula II-H in which R<sup>26</sup> and R<sup>27</sup> are each independently of one another C<sub>1</sub>-C<sub>4</sub>-alkyl or C<sub>1</sub>-C<sub>4</sub>-haloalkyl or R<sup>26</sup> together with R<sup>27</sup> are a chain of the formulae -CH<sub>2</sub>-O-(CH<sub>2</sub>)<sub>2</sub>- or -(CH<sub>2</sub>)<sub>4</sub>-.

14. (Currently Amended) A benzoic acid derivative as claimed in ~~any of claims 1 to 13~~  
claim 1 where

R<sup>2</sup> is hydrogen, chlorine or fluorine,

R<sup>3</sup> is chlorine or cyano,

R<sup>6</sup> is hydrogen and

X is oxygen.

15. (Currently Amended) A benzoic acid derivative as claimed in ~~any of claims 1 to 14~~  
claim 1 where R<sup>4</sup> or R<sup>5</sup> is hydrogen and the other radical R<sup>4</sup> or R<sup>5</sup> is C<sub>1</sub>-C<sub>4</sub>-alkyl or R<sup>4</sup>, R<sup>5</sup> are each methyl.

16. (Currently Amended) A composition comprising a herbicidally effective amount of at least one 3-heterocyclyl-substituted benzoic acid derivative of the formula I or an agriculturally useful salt of ~~it~~ thereof as claimed in ~~any of claims 1 to 15~~  
claim 1 and at least one inert liquid and/or solid carrier and, if desired, at least one surfactant.

17. (Currently Amended) A composition for the desiccation/defoliation of plants, comprising an effective amount of at least one 3-heterocyclyl-substituted benzoic

acid derivative of the formula I or an agriculturally useful salt of I thereof as claimed in any of claims 1 to 15 claim 1 which acts as a desiccant/defoliant and at least one inert liquid and/or solid carrier and, if desired, at least one surfactant.

18. (Currently Amended) A method for controlling unwanted vegetation, which comprises allowing a herbicidally effective amount of at least one 3-heterocycll-substituted benzoic acid derivative of the formula I or an agriculturally useful salt of I thereof as claimed in any of claims 1 to 15 claim 1 to act on plants, their habitat and/or on seed.

19. (Currently Amended) A method for the desiccation/defoliation of plants, which comprises allowing an amount which is effective as a desiccant/defoliant of at least one 3-heterocycll-substituted benzoic acid derivative of the formula I or an agriculturally useful salt of I thereof as claimed in any of claims 1 to 15 claim 1 to act on plants.

20. Cancel

21. (New) A method for controlling unwanted vegetation or for the desiccation/defoliation of plants, comprising applying to plants, the habitat of the plants or seeds of the plants an agriculturally effective amount of a derivative or salt of claim 1.